

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: November 28, 2017 **Time:** 5 hrs, 45 mins **Judge:** WILLIAM H. ORRICK
7:34 a.m. to 1:19 p.m.

Case No.: [13-cr-00764-WHO-1](#) **Case Name:** UNITED STATES v. Williams

Attorneys for Plaintiff: William Frentzen, Scott Joiner, and Kevin Barry
Attorneys for Defendants: Julia Jayne for **Adrian Gordon**
Mark Vermeulen for **Charles Heard**
Robert Waggener and Jeff Wozniak for **Esau Ferdinand**
Severa Keith for **Monzell Harding**
Ismael Ramsey and Amy Craig for **Jaquain Young**
(All defendants present and in custody)

Deputy Clerk: Jean Davis
Interpreter: n/a

Court Reporter: Pamela Batalo and Rhonda Aquilina
Probation Officer: n/a

PROCEEDINGS

7:38 a.m. Court in session (jurors out)
Court takes up issue of Walker jail calls
Defense requests an opportunity to present joint briefing addressing these particular jail calls and additional jail calls. (Jayne, Waggener)
Government opposes delaying the testimony of Officer Brady and other witnesses regarding the jail calls to allow additional briefing. (Joiner)

7:43 a.m. The Court will delay presentation of the jail call to allow for additional briefing. The Court announces initial view on the admissibility of the individual Walker jail calls to assist counsel in briefing. Defense counsel will be allowed to submit briefing by Thursday (11/30/2017), and the government may submit responsive briefing by Saturday (12/2/2017).

7:58 a.m. Defense requests additional time to review the instruction regarding convictions and prior court cases (Vermeulen)

7:59 a.m. Witness order discussed
Issues related to anticipated testimony of Ms. Williams discussed further

8:10 a.m. Jurors seated
Government direct examination of **Robert Brady** continues (Joiner)
Exhibits 1686, 1761, and 1762 identified and admitted without objection
Exhibit 1299 identified
Exhibit 107 identified; defense objections overruled; exhibit is admitted.

8:38 a.m. Defense cross examination of **Robert Brady** (Waggener)
8:52 a.m. Defense cross examination of **Robert Brady** (Jayne)
9:05 a.m. Government redirect of **Robert Brady** (Joiner)
9:09 a.m. Court provides special instruction to jurors
9:11 a.m. Witness **Alexandria Williams** sworn; government direct examination (Barry)
9:38 a.m. Court in recess
9:59 a.m. Court in session (jury present)
Exhibits 7-001 and 7-004 identified and admitted without objection
Exhibit 43 marked, identified and annotated by witness, and admitted without objection
Exhibits 738A, 763B, 763A identified and admitted without objection
Exhibit 733A admitted without objection
10:50 a.m. Defense cross examination of **Alexandria Williams** (Craig)
11:15 a.m. Court in recess
11:38 a.m. Court in session
Defense cross examination of **Alexandria Williams** continues (Craig)
Exhibit 8000 marked for identification and reviewed by Court and opposing counsel;
exhibit identified; government objection to lack of prior notice overruled; exhibit
admitted
Exhibits 8001 and 8002 marked for identification and reviewed by Court and opposing
counsel. Defense contends that the documents are self-authenticating, and the
government disputes this contention. The issue will be taken up outside the presence of
the jurors.
12:02 p.m. Defense cross examination of **Alexandria Williams** (Jayne)
12:12 p.m. Government redirect of **Alexandria Williams** (Barry)
12:41 p.m. Witness excused
12:46 p.m. Witness **Jason Hutchinson** sworn; government direct examination (Frentzen)
Witness offered as an expert without objection
1:04 p.m. Jurors excused with the admonitions of the Court
1:05 p.m. Witness excused
1:05 p.m. Counsel heard as to admissibility of the certified court documents marked as Exhibits
8001 and 8002 (Barry, Joiner, Craig)
1:11 p.m. Issue of reasonable advance notice of exhibits discussed. The Court will revisit its
previous orders on this subject to determine if further clarification is appropriate. (Barry,
Craig, Ramsey)
1:15 p.m. Government raises objection to defense display of materials extracted from exhibits
without providing a copy to the government and referring to this document by the exhibit
number, rather than referring to it as a demonstrative document. Defense explains the
timing of the creation of the document. The Court reminds counsel of the importance of
counsel treating one another in the way they wish to be treated themselves as to issues of
notice, document use, and in all things.
1:19 p.m. Court adjourned until 7:30 a.m. November 29, 2017